HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Contempt No. 309 of 2005

Km. Reena Kashyap D/o Sri Madan Mohan Lal,
R/o Hathi Barkhalla, Dehradun. -----applicant.

Vs.

Sri J.P. Tewari, Registrar,
Govind Ballabh Pant University of Agriculture,
& Technology, Pant Nagar. ----Respondents.

Sri B.P. Nautiyal, learned counsel for the applicant.
Sri Rajendra Dobhal, learned counsel for the respondent.

Hon'ble M.M. Ghildiyal, J.

Heard Sri B.P. Nautiyal, learned counsel for the applicant/ Contempt Petitioner and Sri Rajendra Dobhal, learned counsel for the respondent.

The facts of the case are that the applicant/ petitioner filed writ petition no. 840(ms)2005 wherein a relief was prayed that the respondent be directed to permit the applicant/ petitioner to continue her study in the University in the academic session 2005-06.

This Court while disposing of the writ petition on 02.09.2005 passed an order directing the respondent authorities to consider the representation of the petitioner sympathetically to continue her study in the University in the Academic year 2005-06 within a period of two weeks from the date of production of a certified copy of the order.

It is not disputed by either of the party that the petitioner moved representation before the Authorities on 08.09.2005 and the respondent has decided her representation on 22.09.2005, well within the time prescribed by the Court. While deciding her representation, the respondent has rejected the same as not tenable.

The applicant has now filed this Contempt Petition and this Court on 27.10.2005 directed the respondent to file his

response. In compliance of the Court's order the respondent has filed his response in which the respondent has submitted that the representation of the petitioner has already been decided on 22.09.2005.

Learned counsel for the applicant submits that it is true that the respondent has considered her representation and has disposed of the same within the time prescribed by this Court, but since there was an order of this Court on 02.09.2005 directing the respondent to consider the representation of the petitioner sympathetically to continue her study in the University in the Academic Year 2005-06, the order of rejection of the representation is not, at all, in compliance of the order passed by this Court, as this Court has directed the respondent to permit the petitioner to continue her study for the Academic Year 2005-06.

I do not find force in the submission made by learned counsel for the petitioner. This Court while disposing of the writ petition on 02.09.2005 has directed the respondent to consider representation of the petitioner sympathetically, which the respondent has complied with.

The contempt petition has no merit and is dismissed accordingly.

Notice issued against the respondent is hereby discharged.

(M.M. Ghildiyal, J.)

December 15,2005:
NCM: